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December 19, 2017

**Via ECF**

Honorable Allyne R. Ross  
United States District Judge  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: United States v. Vincent Asaro  
17 Cr. 00127 (ARR)

Dear Judge Ross:

We write to advise the Court of Mr. Asaro's current medical condition and to request that the matter be put on the Court's calendar for sentence.

As Your Honor may recall, on October 20, 2017, Mr. Asaro was taken from the MDC for "cardiac testing." He was not returned to the MDC until November 1, 2017. While in the hospital, he was shackled to a bed the entire time. As the days passed, Mr. Asaro was given little information as to his medical condition. Then on October 31, 2017, he was taken into the operating room and ostensibly a cardiac stent was inserted. He was advised, however, that he requires additional surgeries as his arteries remained clogged. After only a few hours in the Intensive Care Unit, Mr. Asaro was returned to the MDC where he was placed in the SHU with no medical care whatsoever.

Since that time, Mr. Asaro's blood pressure has continued to test at very high levels indicating an impending heart attack or stroke. On December 15, 2017, counsel requested that Mr. Asaro be seen by a doctor as there had been no follow-up care to his heart surgery six weeks earlier.

Shortly after this request, Mr. Asaro's cell was searched and his preapproved medications were taken from him. He was told that he would be given replacement medication when the medical cart came to his unit later that day. Thereafter, Mr. Asaro attended a social visit along with the other inmates on his unit. Apparently, during the time scheduled for the social visits, the medical cart came to the unit. As Mr. Asaro was not on the unit, he received no medication and was told he would not be getting any for the weekend. Currently Mr. Asaro depends upon approximately 14 different medications to address his various ailments.

On Saturday December 16, 2017, Mr. Asaro was taken to the hospital as his pressure continued to test at alarmingly high levels and he was in distress. He was returned to the MDC on

Honorable Allyne R. Ross  
United States District Judge  
December 19, 2017

Sunday, December 17, 2017. It is unclear if any further medical tests were conducted while he was in the hospital.

On Monday, December 18, 2017, counsel had paralegal Sam Tureff visit with Mr. Asaro to check on his well-being. Your Honor may recall that Mr. Tureff assisted the undersigned during Mr. Asaro's 2015 trial. Mr. Tureff reported that he had never seen Mr. Asaro in such poor physical and mental condition. Similar reports have come from other inmates incarcerated with Mr. Asaro as well as Mr. Asaro's family members.

This morning I visited with Mr. Asaro. Upon entering the visiting room, Mr. Asaro was noticeably unsteady on his feet. In fact, he was so physically weak that he was unable to effectively communicate despite his best efforts. We met for only a brief period of time as Mr. Asaro continuously stated that he did not feel well. When the meeting was over, two guards had to hold Mr. Asaro up as he exited the visiting room because he was unable to leave under his own power. In the four years that I have known this defendant, I have never witnessed him in such a state.

As this case is fully briefed for sentencing, and as I am fearful for Mr. Asaro's health should he remain at the MDC, I respectfully request that this matter be put on the Court's calendar as soon as possible.

I thank Your Honor for her consideration in this matter.

Respectfully submitted,

**Elizabeth E. Macedonio**

Elizabeth E. Macedonio and Carla Sanderson

*Counsel for the Defendant*

*Vincent Asaro*

cc: All Counsel – Via ECF